

AFFIDAVIT OF PUBLICATION

STATE OF UTAH }
County of Beaver } ss.

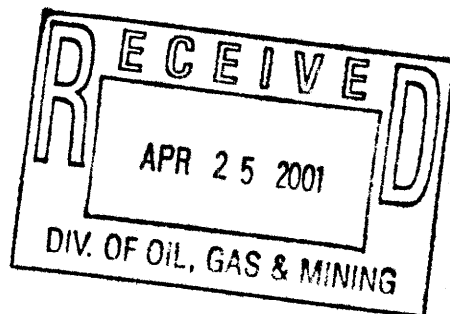
Carolyn S. Draper

being first duly sworn, deposes and says that She
is the Business Manager
of THE BEAVER PRESS, a weekly newspaper published at Beaver City, Beaver County, State of Utah, and that the notice as per attached clipping was published in the regular and entire issue of the said newspaper, and not in any supplement thereof, for a period of 1 consecutive weeks beginning with the issue dated March 22, 2001

Subscribed and sworn to before me this 20th
day of April, 20
19 01.
Shirley S. Wright
Notary Public
Residing at Beaver, Utah.

My Commission expires:

2.14, 20
19 05



0023

BEFORE THE DIVISION OF
OIL, GAS AND MINING
DEPARTMENT OF NATURAL
RESOURCES
STATE OF UTAH

m/001/027

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IN THE MATTER OF A TENTATIVE:

DECISION TO APPROVE A
REVISED NOTICE OF TENTATIVE

MINING AND RECLAMATION
PLAN FOR: DECISION TO
APPROVE

BASIN PERLITE CORPORATION=S NO. M/001/027

PEARL QUEEN PERLITE MINE,
BEAVER COUNTY, UTAH

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THE STATE OF UTAH TO ALL
OPERATORS, TAKERS OF PRODUCTION, MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN SECTIONS 1 AND 2, TOWNSHIP 27 SOUTH, RANGE 9 WEST, BEAVER COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve Basin Perlite Corporation=s revised Mining and Reclamation Plan for the Pearl Queen Perlite Mine. Mining activities will affect the following area: SW1/4 of the SW1/4 Section 1, and the SE1/4 of the SE1/4 Section 2, T27S, R9W, SLBM, Beaver County, Utah.

The operator will employ the following mining and reclamation techniques on approximately 23.5 total acres of State and Federal land (plan originally approved was for 10 acres on State Land; the revised acreage will include 9 additional acres on State land and 4.5 acres on Federal land). A Cultural Resource Inventory and Data Recovery Plan for the Pearl Queen Perlite Mine has been accepted by the State regulatory agencies which will be implemented before mining begins in the new expansion areas.

During Operations: Basin Perlite will contract the onsite mining and primary crushing of the ore. The mined ore will be crushed to minus 1-1/2 inches onsite with a portable crushing plant. The crushed ore will be trucked to the process plant/mill site located on the east side of

Milford. Perlite processing waste fines will be trucked back to the mine, stockpiled, or used directly in contemporaneous reclamation of the mine site.

Brush will be cleared and grubbed from the mine areas, a 12-inch layer of soil/rubble-perlite will be salvaged and stockpiled for reclamation. The thick perlite/caliche surface zone will be ripped and bulldozed into a waste disposal site or used as backfill for the mined out areas of the pit. Perlite ore will be ripped and stockpiled. Some drilling and blasting may be required, if the in-place perlite ore is too hard for ripping. Erosion and sediment control measures will be implemented onsite. Mining will progress in phases along with periodic contemporaneous reclamation of older pit disturbances.

After Operations: All mining equipment will be removed from the mine site. The waste rock disposal areas, backfilled pit and associated mine disturbances will be contour graded to conform with the adjacent topography to the extent practicable. Residual process plant waste (perlite fines) will be used in final reclamation of the mine site. The stockpiled soil/rubble-perlite will be uniformly placed over the recontoured areas of the mine, then fertilized and seeded with an approved seed mixture.

The person representing the company is Mr. Jay Gatten; Phone: (801) 544-3421. Basin Perlite Corporation is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. '40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within

responsive written protests are
received by the Division within
days after the last date of
publication, the tentative deci-
sion of the Division will be final.

DATED THIS 16th day of
March, 2001

STATE OF UTAH
DIVISION OF OIL, GAS AND
MINING

/s/ Lowell P. Braxton
Director

Published in The Beaver Press
March 22, 2001.
